

## **REMARKS**

Claims 1, 3-8, 10-17, 19-24, and 26-44, now pending in the application, are currently rejected. Claims 1, 13, 17, 29, 33, and 43 have been amended. Claims 2, 5, 8, 12-14, 16, 18, 21, 24-30, 32, 36, and 39-44 have been cancelled. Claims 45-47 have been added. Claims 1, 3-4, 6-7, 10-11, 15, 17, 19-20, 22-23, 31, 33-35, 37, 38, and 45-47 are now pending. Favorable reconsideration and allowance of this application are respectfully requested in light of the following remarks.

### **I. Telephone Interview**

Applicant appreciates the Examiner's time and courtesy in conducting the August 16, 2004 telephone interview with Applicant. During the interview, the Examiner and Applicant agreed that the claim term "and a salt of any of the foregoing" could be removed from the independent claims without affecting the patentability of the claims over the prior art.

Applicant and the Examiner further discussed the propriety of dependent claims that further limit "Y" to a salt of at least one of the foregoing. The Examiner agreed to contact Applicant if such claim language is deemed to be improper.

### **II. Claim Rejections Under 35 U.S.C. §112**

Claims 1, 3-8, 10-17, 19-24, and 26-44 are rejected under 35 USC 112 as being indefinite because the claim term "and a salt of any of the foregoing" in independent claims 1, 17, and 33 is said to be confusing because only the carboxylic acid group would be able to form a salt. Without commenting on this assertion, Applicant has removed this claim term from the independent claims, thereby overcoming the rejection.

Claims 5, 8, 12, 14, 16, 21, 24, 28, 30, 32, 36, 39, 42, and 44 are rejected under 35 USC 112, second paragraph for reciting a trademark or trade name as a limitation to identify or describe a particular material or product. These claims have been cancelled, thereby obviating the rejection.

### **III. Allowable Subject Matter**

Applicant notes with appreciation that claims 1, 3-8, 10-17, 19-24, and 26-44 contain allowable subject matter with respect to the prior art, and would be allowable if rewritten to overcome the rejections under 35 USC 112. Of those claims, claims 1, 3, 4, 6, 7, 10, 11, 15, 17, 19, 20, 22, 23, 31, 33-35, 37, and 38 remain pending and overcome all 112 rejections. Formal allowance of these pending claims is therefore respectfully requested.

#### **IV. New Claims**

Applicant has added new claims 45-47 that depend from independent claims 1, 17, and 33, and further recite that Y is selected from a salt of at least one of the groups. The confusion identified in the Office Action with respect to the previously presented independent claims is not present in the dependent claims because, even if the Examiner's confusion to the previously pending independent claims is valid, each independent claim includes at least one group that can be formed into a salt.

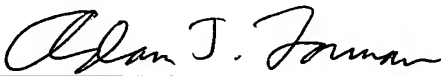
Formal allowance of dependent claims 45-47 is therefore respectfully requested. As discussed in the telephone interview, Applicant would appreciate the Examiner contacting the undersigned at the telephone number appearing below if claims 45-47 are deemed unpatentable.

#### **V. Conclusion**

Applicant therefore respectfully asserts that all rejections and objections cited by the Examiner have been overcome, and that the present amendment has removed all issues identified in the Office Action without raising any new issues. Accordingly, the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

No fee is believed to be due for this communication. If, however, any fees are deemed due, the Commissioner is hereby authorized to deduct such fees from Deposit Account No. 17-0055. The Examiner is invited to contact the undersigned at the telephone number appearing below if such would advance the prosecution of this application.

Respectfully submitted,

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